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13 **UNITED STATES DISTRICT COURT**
14 **DISTRICT OF NEVADA**

15 UNITED STATES ex rel. CMB
16 EXPORT, LLC, a Texas limited
17 liability company,

18 Plaintiff,

19 vs.

20 TONOPAH SOLAR ENERGY, LLC, a
21 Nevada limited liability company,
22 COBRA ENERGY INVESTMENT,
23 LLC, a Delaware limited liability
24 company, COBRA ENERGY
25 INVESTMENT FINANCE, INC., a
26 Delaware corporation, COBRA
27 INDUSTRIAL SERVICES, INC., a
28 Delaware corporation, COBRA
THERMOSOLAR PLANTS, INC, a
Nevada corporation, COBRA
INSTALACIONES Y SERVICIOS
S.A., a Spanish corporation, ACS
SERVICIOS COMUNICACIONES Y
ENERGIA, S.L., a Spanish corporation,
COBRA CONCESIONES, S.L., and
DOES 1 through 50, inclusive,

Defendants.

Case No. 2:20-cv-00196-JCM-MDC

**STIPULATION TO ACCEPT
SERVICE AND EXTEND TIME
FOR DEFENDANTS TO
RESPOND TO SECOND
AMENDED COMPLAINT**

(First Request)

1 Amended Complaint, Defendants ACS Servicios Comunicaciones y Energia, S.L.,
2 Cobra Concesiones, S.L., and Cobra Instalaciones y Servicios S.A. have agreed to
3 accept service of the Second Amended Complaint and waive objections to the
4 sufficiency of service, without waiver of defenses of personal jurisdiction, venue, or
5 any other defense which may be asserted against the Second Amended Complaint;

6 **IT IS HEREBY STIPULATED AND AGREED**, by and between the
7 undersigned counsel for Plaintiff and Defendants that:

- 8 • The current deadline for the Defendants who have been served to file an answer
9 or motion in response to the Second Amended Complaint—June 14, 2024—is
10 vacated;
- 11 • All Defendants will file an answer or motion in response to the Second
12 Amended Complaint no later than November 8, 2024;
- 13 • Defendants agree to waive any challenge as to the sufficiency of Plaintiffs’
14 service of the summons and complaint. This waiver as to the sufficiency of
15 service shall not be construed to extend to any other potential defense or
16 objection, including but not limited to objections to personal jurisdiction or to
17 venue. All other defenses are expressly preserved and may be asserted by any
18 defendant in either its forthcoming answer or motion.

19 This is the Parties’ first request for an extension of time to respond to the
20 Second Amended Complaint and is made before the expiration of any deadline to
21 answer or otherwise respond to the Second Amended Complaint by any Defendant.
22 The requested extension is made in good faith and is not for purposes of delay.

1 DATED: June 12, 2024.

2 LEWIS BRISBOIS BISGAARD & SMITH LLP

3 By: /s/ John S. Poulos

4 John S. Poulos
5 Nevada Bar No. 15085
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25 *Counsel for Defendants*

26 **IT IS SO ORDERED.**

27 Hon. Maximiliano D. Couvillier III
28 United States Magistrate Judge
Dated: 6/18/2024

STIPULATION TO ACCEPT SERVICE AND EXTEND TIME FOR DEFENDANTS
TO RESPOND TO SECOND AMENDED COMPLAINT